

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

JULIE A. SU, Acting Secretary of Labor, :
United States Department of Labor, : Civil Action No. 24-cv-3339
:
Plaintiff, :
v. :
:
LTLMR LLC d/b/a CELEBRITY DINER and :
LOUKAS RENIERIS, individually, :
:
Defendants. :

**DECLARATION OF ROBERTO JIMENEZ IN SUPPORT OF PLAINTIFF'S
EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER AND ORDER TO
SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUED**

I, ROBERTO JIMENEZ, declare under penalty of perjury, as prescribed in 28 U.S.C. § 1746, that the following is true and correct:

1. My name is Roberto Jimenez.
2. I started working for Celebrity Diner as a waiter/server approximately in December 2020.
3. I have worked as a waiter/server at various diners for about 25 years.
4. I was hired to work at Celebrity Diner by the manager I only know as Tony. I do not know his full name.
5. During my employment with Celebrity Diner, Tony was in charge of all the employees.
6. Throughout my employment with Celebrity Diner, I consistently worked six days a week, often 60 hours a week or more.
7. On several occasions, I saw Tony take cash tips left by customers out of the tip jar.

8. During my employment at Celebrity Diner, I was also aware that Tony took some of employees' tips from credit card transactions.

9. On January 27, 2024, I was working at the counter of the diner packing takeout orders.

10. Customers picking up takeout orders would place cash tips for employees in a tip jar at the diner.

11. I saw Tony take all the cash out of the tip jar, give it to the cashier, and she then put the cash in the cash register.

12. I told the cashier to give me the money back and she gave me \$3.00.

13. I saw that there had been about \$20.00 to \$30.00 in the tip jar when Tony took the cash.

14. Tony then said that he would decide if the money was his or mine.

15. I told Tony that he was wrong and a thief. Tony then told me that I no longer had a job and told me to leave.

16. The mother and father of the owner of Celebrity Diner were both present when all this happened. I only know them as "Sula" and "John".

17. January 27, 2024 was my last day working at Celebrity Diner.

18. Although I am somewhat scared to speak up publicly like this, I also believe it is important because a company and its managers should not be allowed to fire employees who speak up for their rights.

19. My declaration has been interpreted to me in the Spanish language by Gene Toledo, Investigator, U.S. Department of Labor, Wage and Hour Division, Long Island District Office.

Executed on May 6, 2024



ROBERTO JIMENEZ

DECLARATION OF THE INTERPRETER

Pursuant to 28 U.S.C. § 1746, I, GENE TOLEDO declare the following:

I am fluent in the English and Spanish languages, and I provided an oral word-for-word interpretation of the foregoing Declaration of Roberto Jimenez from English to Spanish. I further declare that I translated the Declaration correctly and accurately to the best of my abilities.

Executed on May 3, 2024

A handwritten signature in cursive script, appearing to read "Gene Toledo".

GENE TOLEDO, Investigator
U.S. Department of Labor
Wage and Hour Division
Long Island District Office
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Westbury, NY 11590